Remarks

A.   Claims 1 – 11 are patentable over Dawson (US 6,252,588 B1) in view of Chang et al. (US 6,598,076 B1).

Though not specifically using the phrase "networked system," the two major elements of the claim 1 system, the system server 1908 and the Internet appliance 1910 – 1914, divide the work load in a server/client relationship and communicate with each other via the external communication network 1902.

Dawson teaches a black box (Dawson FIG. 18, element 1801) that performs some of the same operations but that is not divided between a system server that stores user screens and digital content files and a simple appliance that handles the reduced keyset keystroke sequence device and interfaces with a television set. Everything is done in the same black box. Thus, claim 1 organizes the system in a manner inconsistent with the system disclosed by Dawson.

It appears that some of the remarks used by applicants in their appeal brief have led the examiner away from this central issue. In Dawson, everything is done in the black box 1801. In the applicants' claim 1, as illustrated in applicants' FIG. 19, the tasks are divided between a system server 1908 and an Internet appliance 1910 – 1914 that communicates via an external communications network 1902. The examiner has combined the teachings of Dawson with those of Chang in an apparent attempt to respond to other concerns. But Dawson teaches directly away from the structure of the applicants' claim 1 (see Dawson, FIG. 18).

In other words, the primary reference teaches directly away from the attempted combination of references. The combination of references is therefore improper, and the examiner fails to establish a prima facie basis for his rejection of claim 1.

The applicants do not believe that the teachings of Chang would overcome this difficulty if the combination could properly be made. But let's assume—for the sake of argument only—that such a combination would render claim 1 unpatentable. Making that assumption, how would one overcome the "teaching away" contained in Dawson?

Let's make it clear: the applicants are not saying that Dawson doesn't connect to the Internet, it may very well do so. They are saying that such connection is beside the point. The point being that Dawson teaches away from the structure of claim 1. Dawson puts everything in one box (FIG. 18, element 1801). Claim 1 separates the functions into two boxes interconnected by a communications network (server/client).
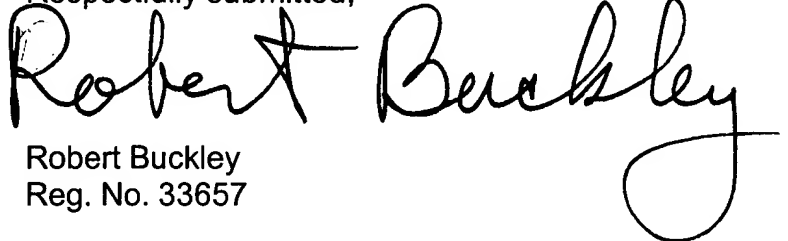
Claims 2 – 11 depend directly or indirectly from claim 1, and thus if claim 1 is patentable, claims 2 – 11 are patentable.

The applicants respectfully request that the rejections under the examiner's stated theory be withdrawn and the claims allowed, or that some new, more tenable theory be advanced.

Conclusion

The applicants have traversed the rejections set forth by the examiner and request that they be withdrawn and the claims be allowed.

Respectfully submitted,

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